

**Notice of Allowability**

Application No.

10/619,789

Examiner

Devona E. Faulk

Applicant(s)

CRUMP ET AL.

Art Unit

2615

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 6/4/2007.
2. ☒ The allowed claim(s) is/are 10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Response to Remarks***

1. Claims 4, 5, 10, 16, 17, 21, 27, 28, 33, 41, 42, 52, and 53 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The applicant has rewritten claims 4,10,16,21,27,33,41,42 and 52 in independent form.
2. The indicated allowability of claims 4, 5, 16, 17, 27, 28, 33, 41, 42, 52, and 53 is withdrawn in view of the newly discovered reference(s) to Wurtz (US 2004/0258253). Rejections based on the newly cited reference(s) would follow but the applicant agreed to an examiner's amendment. The examiner has determined that claims 4-6 and 16-18 are duplicate claims and claims 10 and 21 are duplicate claims. The applicant agreed to an examiner's amendment to resolve the matter.
3. Claims 1-3,6-9,11-15,18-20,22-26,29-32,34-40,43-51 and 54-66 are cancelled.

### **EXAMINER'S AMENDMENT**

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Hieken (Reg. No. 18,411) on 8/17/2007.

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The claims are to be amended as follows:

**Claims 4-5,16-17,21,27-28,33,41-42,52-53: CANCEL.**

***Allowable Subject Matter***

5. Claim 10 allowed.

6. The following is an examiner's statement of reasons for allowance: Regarding claims 10, prior art Jones (US 6,118,878) discloses an active noise reduction headset comprising a headset circuit receiving an input voltage, a shutoff circuit (Figure 13, shutoff circuitry 1300), a power supply providing the input voltage to the headset circuitry (Figure 14), the power supply comprising a battery and voltage regulator, that the voltage supplied to the amplifier (1416) is adjusted according to the noise level which is in response to changes in headset load current drawn by the amplifier (column 20, line 12-column 22, line 16). Prior art Steinhagen et al. (US 6,255,901) discloses a demodulator for ASK-modulated signals having small modulation depth including a band-pass filter (18) whose output is compared to a threshold (column 1, line 55-column 2, line 8). Prior art Wurtz (US2004/0258253) discloses an automatic turn-on and turn off control for battery-powered headsets.

Regarding claims 10, the prior art or combination thereof fails to disclose or make obvious the invention as a whole, and in particular, an ANR circuit receiving a signal from a microphone positioned in an earcup and including a feedback loop to actively reduce the signal; a first voltage regulator limiting a voltage supplied to the ANR circuit

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and to an amplifier to a first predetermined voltage; and a second voltage regulator limiting the input voltage of the headset circuitry to a second predetermined voltage.

The prior art or combination thereof fails to disclose or make obvious an active noise reduction headset system as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devona E. Faulk whose telephone number is 571-272-7515. The examiner can normally be reached on 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DEF

  
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